

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

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*Q. The local municipality (or MS4 operator) where the project is located requires the owner or operator to have a Local permit. If I obtain a Local permit to discharge stormwater from my project, do I have to apply for a State stormwater permit?*

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## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

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### BACKGROUND:

*Q. What is the stormwater permit program?*

**A.** The National Pollutant Discharge Elimination System (NPDES) permit program is a Federal program created to implement the provisions of the Federal Clean Water Act which prohibits the discharge of pollutants to waters of the United States unless the discharge is authorized by an NPDES permit. The NPDES permit program for stormwater is implemented by KDHE for the U.S. Environmental Protection Agency (EPA). The purpose of the (NPDES) stormwater program is to limit or reduce the amount of pollutants transported by stormwater runoff and directed to the waters of the U.S. The central feature of this program is the Kansas Water Pollution Control General Permit and Authorization to Discharge Stormwater Runoff from Construction Activities under the NPDES permit program, also known as the “construction stormwater general permit.”

The Stormwater Pollution Prevention (SWP2) plan for a construction site shows how to protect streams, creeks and rivers from being degraded by sediment and other contaminants flowing off construction sites. Without prevention, heavy rains will transport pollutants, including sediment, fuel, oil, fertilizers and pesticides, off the construction site and into stormwater conveyances or receiving waters impacting aquatic life and water quality. Eventually sediments and other pollutants collected in these artificial or natural tributaries must be dredged from the drainage course to prevent localized flooding and/or downstream contamination of receiving waters.

The construction stormwater general permit specifies what must be done by an owner or operator engaged in construction to comply with regulations and prevent stormwater pollution. The owner or operator includes the party or parties who are responsible for the activities which may cause erosion at the construction site. Owners or operators engaged in construction can apply for coverage under the general permit which is faster, cheaper, and simpler than applying for an individual permit. By doing so, the owner or operator is agreeing to abide by the requirements spelled out in the general permit. In return the owner or operator goes through a streamlined application procedure to receive a permit.

The construction stormwater general permit reflects a heavy reliance on “Best Management Practices” (BMPs) to reduce pollutants in stormwater and thus improve water quality. Simple, cost effective BMPs are stressed in the general permit, which can save money by reducing clean up costs, property damage, flooding, and soil loss, and improve public image by visually demonstrating environmental awareness.

Construction projects which may disturb 5 or more acres of land or are part of a larger common plan of development or sale must obtain authorization to discharge stormwater runoff from construction activity prior to breaking ground for the project. Projects which disturb less than five acres at any one time but which eventually disturb five or more acres must also be authorized to discharge under this general permit. Either type of project may also be authorized to discharge stormwater associated with construction activity under an individual NPDES permit.

As discussed below in more detail, small construction activities which disturb one acre or more, and less than five acres are exempt if final stabilization will occur before March 10, 2003. On and after January 9, 2003, however, owners or operators of small construction activities which may be in progress on March 10, 2003, or which will begin after March 10, 2003, must apply for permit coverage under the construction stormwater general permit.

To help applicants understand the terms and acronyms used in the permit and supporting documentation a list of Definitions and Acronyms has been prepared. The Definitions and Acronyms list is available on-line at [www.kdhe.state.ks.us/stormwater/resources/definitions.pdf](http://www.kdhe.state.ks.us/stormwater/resources/definitions.pdf) on the [KDHE Stormwater Website](#), or can be obtained upon request from KDHE at the address provided below.

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### APPLICABILITY:

**Q.** *Who must apply?*

**A.** Owners or operators of any tract of land where construction will be occurring are required to apply for a stormwater NPDES permit if the area which will be disturbed equals or exceeds five acres. For a typical residential development (subdivision), the owner or an authorized representative is the owner or operator. On and after March 10, 2003, construction projects which disturb one acre or more will also require a stormwater NPDES permit. The time when the area or sub-areas will be disturbed does not change whether the owner must apply for a permit. The size of the area is based upon what is planned to be disturbed by the owner or his contractors regardless of whether it will be disturbed all at once or in many small parcels over a protracted period of time. Examples of construction projects which require a permit if the area disturbed exceeds the five acre criteria include:

Federal and State road projects; subdivisions; housing developments; industrial parks; hospitals; schools, parks and recreation developments, water detention structures, and utility lines such as power lines, sewers, waterlines; etc.

After January 9, 2003, the owners or operators of projects which disturb one acre or more that will be in progress or will begin on or after March 10, 2003 must also apply for coverage under the construction stormwater general NPDES permit.

**Q.** *What about projects which will disturb less than five acres during the life of the project?*

**A.** The Natural Resources Defense Council (NRDC) successfully sued EPA in 1992. As a result of the suit EPA's five acre threshold was invalidated. Subsequently the parties involved accepted a one acre threshold in lieu of the five acre threshold. Therefore, on and after March 10, 2003 owners or operators whose small construction activities disturb one acre or more of total land area must also have a construction stormwater permit prior to commencing construction.

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### HOW TO APPLY:

**Q.** *How do I apply?*

**A.** Apply by completing an application form called a Notice of Intent (NOI). NOI forms can be downloaded from the [KDHE Stormwater Website](#), or can be obtained upon request from KDHE at the address provided below.

You will need to include the annual permit fee with your NOI for the first year of the project. At the time the general permit became effective the annual fee was \$60. The fee schedule in the regulations (i.e., K.A.R. 28-16-56 et seq. as amended) will give the current annual fee amount. If you pay your permit fee by check it should be made payable to KDHE. For renewal payments, please include a copy of the NOI with the KDHE authorization and include the Kansas permit number on the check.

**Q.** *When should I send in the Notice of Intent (NOI)?*

**A.** The NOI should be sent in at least 60 days before you expect to start construction. KDHE anticipates almost all applications will be processed within two week of being received.

KDHE requires the NOI to be sent 60 days in advance to minimize project delays should additional information, clearances, or an individual permit be needed. Permit issuance time frames for individual

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permits are typically greater than 90 days. If the project is ineligible for coverage under the general permit, the applicant will have to apply for an individual NPDES permit. An individual NPDES permit is similar to the general permit, but has additional conditions which apply specifically to the particular applicant or project.

**Q.** *How much does the construction stormwater general permit fee cost?*

**A.** The current annual permit fee is \$60 in accordance with K.A.R. 28-16-56 et seq.

**Q.** *Where do I send the NOI, supporting documents and the permit fee?*

**A.** Kansas Department of Health and Environment  
Bureau of Water, Industrial Programs Section  
1000 SW Jackson, Suite 420  
Topeka, KS 66612-1367

**Q.** *What must I do if an individual permit is required or desired?*

**A.** KDHE will request a more detailed application. After reviewing the revised application forms, and determining what special conditions will satisfy the requirements, KDHE will develop a draft permit. KDHE will draft an individual NPDES permit and place it on public notice in the Kansas Register for 30 days so any interested parties, including the permit applicant, review the draft permit and ask KDHE to change the final permit. The individual permit process requires a minimum of 90 to 180 days for applications which receive no significant comments. Applications which receive significant public comments may require more than 180 days to issue. The annual permit fee for an individual permit is \$320 per year.

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## ABOUT THE FORMS:

**Q.** *Where can I find the construction stormwater general permit forms?*

**The construction stormwater general permit, forms, reference material and other relevant materials are available on-line:**

**[KDHE STORMWATER WEBSITE](http://www.kdhe.state.ks.us/stormwater/index.html)**

**[www.kdhe.state.ks.us/stormwater/index.html](http://www.kdhe.state.ks.us/stormwater/index.html)**

Copies of the construction stormwater general permit, forms, reference material and other relevant materials can also be obtained upon request from KDHE at the address provided above. For additional information, contact KDHE at (785) 296-5549.

**Q.** *What forms do I need to use?*

### **Application Forms**

- Notice of Intent (for Construction Activities): Use this form to apply for authorization to discharge stormwater runoff from construction activities.
- Notice of Intent Instructions (for Construction Activities)

### **Construction Stormwater General Permit:**

## **STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES**

- Construction Stormwater General NPDES Permit : This general permit specifies the requirements which the permittee must meet to obtain and maintain an authorization to discharge stormwater runoff from construction activities.
- Definitions and Acronyms

### **Rainfall Erosivity Waiver Application:**

- Rainfall Erosivity Waiver Application: Use this form to request a waiver for short duration projects which occur during periods of the year when the potential for erosion of disturbed soils is low.
- Rainfall Erosivity Waiver Application Instructions
- Construction Rainfall Erosivity Waiver Fact Sheet 3.1: Used to calculate the rainfall erosivity factor (R). If the project has an (R) value of 5 or more, the waiver does not apply.

### **Ancillary Forms:**

- Contractor's Certification Form: Use this form to document that each affected contractor has received or is aware of the SWP2 plan, and agrees to abide by the terms and conditions therein.
- Document Certification Form: Use this form to submit additional information which updates or revises supporting documentation previously submitted for an authorization or a waiver.
- Individual Lot Certification (ILC): Use this form when selling parcels, lots or an individual lot within a subdivision.
- Notice of Termination: Use this form to discontinue permit coverage under the construction stormwater general permit.
- Notice of Transfer of Ownership: Use this form to transfer permit coverage when an entire tract of land covered under the construction stormwater general permit is sold. For the sale of parcels, or lots, or an individual lot within a subdivision, use the Individual Lot Certification (ILC) form.

### **Guidance:**

- Summary Overview
- Frequently Asked Questions
- How to Apply for a Permit (Under construction)
- About the Forms

### **Reference Information:**

- Exceptional State Waters, Special Aquatic Life Use Waters; and Outstanding National Resource Waters: Use this list of waters when completing section B of the NOI. For more information see the Kansas Surface Water Register.
- Small Municipalities List: A list of communities which may be required to implement local Stormwater Pollution Prevention programs under Phase II.
- Kansas Surface Water Register: The register provides the designated uses of major classified streams, lakes and other waters.

### **Supporting Documentation:**

- Erosion Control for Home Builders: A basic guidance document.
- Fact Sheet: Construction Stormwater General Permit: The basis for the general permit.



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### CONSTRUCTION ACTIVITIES:

**Q.** *What is a large construction activity?*

**A.** A large construction activity consists of any activity such as clearing, grubbing, grading and excavation etc. which disturbs five or more acres of total land area. A construction activity which disturbs less than five acres is considered to be a large construction activity when the site is part of a larger common plan of development or sale which will disturb a cumulative total area equal to five acres or more.

**Q.** *When do I need to apply for a large construction activity stormwater NPDES permit?*

**A.** Owners or operators of large construction activities must apply for coverage under the construction stormwater permit at least 60 days prior to commencing construction.

**Q.** *What is a small construction activity?*

**A.** A small construction activity consists of any activity such as clearing, grubbing, grading, and excavation, etc., which disturbs one acre or more, and less than five acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. Activity which disturbs less than one acre is considered to be small construction activity when the site is part of a larger common plan of development or sale which will disturb a cumulative total area equal to one acre or more and less than five acres.

Owners or operators of construction activities which disturb less than one acre (<1.0 acres) may be required to obtain an NPDES permit if KDHE determines the proposed construction activity is causing, or will cause, a violation of the State water quality standards.

**Q.** *When do I need to apply for a small construction activity stormwater NPDES permit?*

**A.** Owners or operators whose construction project will be in progress on March 10, 2003, or whose project will begin after March 10, 2003 must apply for coverage under the construction stormwater permit at least 60 days prior to commencing construction. Hence, on or after January 9, 2003, the owners or operators of projects which disturb one acre or more must apply for coverage under the construction stormwater permit. An application will also need to be submitted if a small construction activity is in progress on January 9, 2003, and construction and final stabilization are not expected to be complete by March 10, 2003.

### **Waivers:**

**Q.** *What waivers are available for a small construction activity?*

**A.** Under the Storm Water Phase II Rule, NPDES permitting authorities have the option of providing a waiver from the requirements to operators of "small construction activities" under certain conditions.

In Kansas, a rainfall erosivity waiver is available if the potential for erosion is negligible. During the period of construction activity, the potential for erosion is considered negligible if the rainfall erosivity factor is less than 5. To apply for a waiver, use the rainfall erosivity waiver application found on the [KDHE Stormwater Website](#). To calculate the rainfall erosivity factor, use the Storm Water Phase II Final Rule-Low Rainfall Erosivity Waiver Fact Sheet 3.1.

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For more information, the Storm Water Phase II Final Rule-Small Construction Program Overview Fact Sheet 3.0 which is available on the EPA Storm Water Program Website may be helpful.

**Q.** *Is there a stormwater discharge permit waiver available for municipal projects?*

**A.** No. Waivers are not available for any municipal large or small construction activities.

**Q.** *Can KDHE waive the annual permit fee for small construction activities?*

**A.** No. K.A.R. 28-16-56d requires an annual fee of \$60 per year for coverage under a general permit. According to K.A.R. 28-16-56d(b)(5) the fee must be paid annually for coverage under the general permit. The annual permit fee does not need to be submitted after final stabilization has been completed, all soil disturbing activities have been finished, and a Notice of Termination (NOT) indicating completion has been submitted to KDHE.

**Q.** *If I don't like the General NPDES Permit for Stormwater Runoff can I ask KDHE to change it?*

**A.** KDHE can only make changes to an NPDES permit (regardless of type: general or individual) by proposing the changes in a draft permit and placing the draft permit on public notice for a minimum of 30 days. Therefore KDHE will not make changes to the General NPDES Permit for Stormwater Runoff from Construction Activities without significant cause.

A permit applicant can ask for an individual permit instead of a general permit. K.A.R. 28-16-59 requires an application for an individual permit to be filed 180 days prior to the date one desires to commence the discharge of pollutants; or in sufficient time prior to commencement of the discharge to insure compliance with the requirements of state or federal law.

**Q.** *If the construction project is small and lasts only a few weeks during periods of the year when the potential for erosion of disturbed soils is low, can it qualify for a rainfall erosivity waiver?*

After March 10, 2003, owners or operators whose projects disturb one or more acres and less than 5 acres are required to obtain authorization to discharge stormwater runoff from their construction activities. A waiver of this requirement can be obtained by submitting the "Rainfall Erosivity Waiver Application" if the construction activity disturbs an area of one acre or more, and less than 5 acres, and the duration of construction is short and construction occurs during a period of the year when the potential for erosion of disturbed soils is low.

The rainfall erosivity waiver application (REWA) is not an automatic exemption from this requirement. Instead, the REWA is a request for a waiver of the applicable requirements based upon a low chance of rainfall induced erosion. KDHE will make an applicability determination after reviewing the REWA. If KDHE does not authorize the REWA, the applicant will have to submit a complete NOI for the project.

## COMPLIANCE:

### Applicant Information Changes or Sales and Transfers:

**Q.** *What if the company name has changed, or the company has been sold, or the contact information has changed?*

**A.** If the owner or operator's company name has changed, or the contact information has changed, for any active construction project, the owner or operator must submit a revised NOI. The revised NOI must be accompanied by any other supporting documentation which has to be updated.

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If the owner or operator's company has been sold for any active construction project, the previous permittee and the new owner or operator must submit a Notice of Transfer of Ownership (NOTO). The previous permittee does not submit a Notice of Termination (NOT). The NOTO must be accompanied by any other supporting documentation which has to be updated as applicable.

### Commencing Construction:

**Q.** *When I drill test holes to plan the construction, is that considered starting construction?*

**A.** No. Drilling of foundation test holes is not considered construction.

### Effective Dates and Expiration Dates:

**Q.** *What if I have applied for a construction stormwater permit for my project before December 31, 2006, but I expect my project to continue into 2007?*

**A.** If the permittee wishes to continue construction activities regulated by the construction stormwater general NPDES permit after the expiration date of the permit, the permittee must continue to pay the annual fee, and continue to abide by the terms and conditions of the general permit until the effective date of the successor construction stormwater general NPDES permit. On and after the effective date of the successor general permit, the permit holder must abide by the terms and conditions of the successor general permit; and continue paying the annual permit fee; or apply for an individual NPDES permit. The permittee is not required to submit a new NOI for continuing coverage under the successor general permit unless modifications, changes or discoveries were made during the life of the project which may affect coverage under the successor construction stormwater general NPDES permit.

### Terminating Permit Coverage; Final Stabilization:

**Q.** *What does final stabilization mean?*

**A.** Final stabilization means that all soil disturbing activities have been completed and that a uniform perennial vegetative cover with a density of 70% of the previously existing (background) cover has been established on unpaved areas and areas not covered by permanent structures. As an alternative to vegetation, equivalent permanent stabilization measures (e.g. riprap, gabions, or geotextiles) covering 100% of the unpaved, or uncovered, areas may be used.

**Q.** *How do I terminate coverage, and stop requirements for future annual fee payments?*

**A.** To terminate permit coverage, a Notice of Termination (NOT) must be submitted to KDHE after final stabilization has been completed and all soil disturbing activities have been finished. All non-biodegradable temporary erosion and sediment control measures must also have been removed.

**Q.** *When do I need to submit a Notice of Termination (NOT)?*

When the owner or operator determines that a project is complete, the owner or operator can submit a Notice of Termination (NOT) to end permit coverage under the construction stormwater general permit. An NOT can be submitted after final stabilization has been completed and all soil disturbing activities have been finished. Unless an NOT has been received, KDHE considers a construction project to be in progress, and expects the owner or operator to maintain stormwater permit coverage by paying the annual fee and applying for continuing coverage prior to the general permit expiration date. Projects for which KDHE has not received a NOT will also be billed for the annual general permit fee.

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The owner or operator should not submit a Notice of Termination (NOT) if the owner or operator expects the project to resume within 18 months of the interruption in construction. For this short period of time, KDHE expects the owner or operator to maintain the stormwater permit coverage. If the project will be interrupted for a period of time longer than 18 months, an NOT can be submitted after final stabilization has been completed. Submittal of a new Notice of Intent (NOI) will be necessary when construction resumes. If the project does not have a clearly defined completion date, the owner or operator should maintain a valid stormwater discharge permit until the owner or operator can determine if construction will not resume.

A Notice of Termination also must be submitted with a Notice of Transfer of Ownership (NOTO) when the construction project or the entire permitted tract is sold to a new owner or operator. (See also "Applicant Information Changes or Sales and Transfers" above.)

NOT forms can be downloaded from the [KDHE Stormwater Website](#), or can be obtained upon request from KDHE at the address provided above.

**Q.** *Will my project be inspected after I send in the Notice of Termination to ensure it has been re-vegetated?*

**A.** KDHE anticipates performing spot checks of various projects since resources do not allow for a final inspection at each project. Applicants should bear in mind that the NOT should not be submitted until vegetation is re-established at a density of at least 70% of that prevalent in the area of the project.

**Q.** *Do I only need to re-establish vegetation on 70% of the site before sending in my NOT?*

**A.** No, vegetation must be established over the entire site except where permanent buildings and paved areas are located. The vegetation should be at least 70% as thick or dense as undisturbed areas on or near the vicinity of the construction site.

**Q.** *Does the grass I plant have to be of the same type as at the site before the construction project?*

**A.** No. The type of vegetation established is up to the site owner. Vegetation must be established but it need not be pre-existing or native varieties or species.

## CRITICAL WATERS:

**Q.** *What is an "Exceptional State Water," an "Outstanding National Resource Water (ONRW)," a "Special Aquatic Life Use Water (SALU)," etc?*

**A.** These streams, rivers, and lakes are waters which have been determined to be of exceptional recreational or ecological significance, or have conditions or features which are unique or not commonly found in Kansas.

**Q.** *Where can I find information on the locations of Exceptional State Waters, Outstanding National Resource Waters, Critical Water Quality Management Areas, etc?*

**A.** The detailed locations of these portions of streams, lakes and other waters are given in the Kansas Surface Water Register which is maintained by KDHE. A copy of the Surface Water Register can be located on the KDHE website at: [www.kdhe.state.ks.us/pdf/befs/register99.pdf](http://www.kdhe.state.ks.us/pdf/befs/register99.pdf)

A general listing of these waters sorted by county is available on the [KDHE Stormwater Website](http://www.kdhe.state.ks.us/stormwater/resources/saluonrwlist-Rev301.pdf) at [www.kdhe.state.ks.us/stormwater/resources/saluonrwlist-Rev301.pdf](http://www.kdhe.state.ks.us/stormwater/resources/saluonrwlist-Rev301.pdf) under "List of Exceptional State

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

[Waters, Special Aquatic Life Use Waters and Outstanding National Resource Waters \(.pdf\)](#)” or can be obtained upon request from KDHE at the address provided above.

At the time of permit issuance, there are no critical water quality management areas designated in Kansas pursuant to K.A.R. 28-16-70.

**Q.** *If my project is within one-half mile of an ONRW, SALU, etc. does it mean I cannot be covered under the general permit?*

**A.** Not necessarily. KDHE can specifically grant coverage for projects within one-half mile of an ONRW, SALU, or other critical waters. One way KDHE may waive the general permit coverage limitation is upon receipt of clearance or a permit from the Kansas Department of Wildlife and Parks. As discussed above these streams and lakes have been determined to be unique and their protection should be ensured. Owners and operators performing construction near these streams and lakes need to implement a more stringent Stormwater Pollution Prevention (SWP2) plan. Following review of the (SWP2) plan, KDHE will specifically grant coverage under the general permit if such coverage is determined to be appropriate. Otherwise, if permit coverage under the general permit is not granted, the applicant will need to apply for an individual permit.

## HISTORICAL SITES:

**Q.** *Do I have to check my site for archeological or historical sites?*

**A.** Yes. Permit applicants wanting to use the construction stormwater general NPDES permit need to contact the Kansas State Historical Society (KSHS). KDHE recommends contact be made early in the planning stages of the project. Contact information for the KSHS is available in the “Stormwater Contacts” section of this FAQ.

## THREATENED AND ENDANGERED SPECIES:

**Q.** *Do I have to check my site for threatened and endangered species?*

**A.** Yes. Permit applicants wanting to use the construction stormwater general NPDES permit need to contact the Kansas Department of Wildlife and Parks (KDWP). KDHE recommends contact be made early in the planning stages of the project. Contact information for the KDWP is available in the “Stormwater Contacts” section of this FAQ.

**Q.** *Part III of the general permit indicates I cannot use the general permit if my stormwater discharge will adversely affect threatened or endangered species. Who makes this determination?*

**A.** The Kansas Department of Wildlife and Parks (KDWP) determines whether proposed projects will adversely affect threatened or endangered species in any way. Contact KDWP to determine if that Department will apply any terms or conditions to the project. If there are threatened or endangered species associated with the project site, KDWP may require the owner or operator to meet certain conditions prior to granting approval to the construction project.

The owner or operator is responsible for remaining in compliance with any terms or conditions applied to the project by KDWP.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### STORMWATER POLLUTION PREVENTION PLANS (SWP2):

**Q.** *The general permit requires a SWP2 plan to be prepared. Do I send the SWP2 plan to KDHE to review or approve?*

**A.** No. The SWP2 plan should not be sent to KDHE unless specifically requested. However, an erosion control plan summarizing the SWP2 plan, and a site plan showing the erosion control measures and BMPs which will be used during the project must be submitted with the NOI. Each applicant's SWP2 plan will not be approved or disapproved by KDHE. If there are local requirements for erosion and sediment control or stormwater management the applicant should contact the local authority to determine if the SWP2 plan needs to be sent to them for review or approval.

**Q.** *Can I have the construction contractor submit the NOI or prepare the SWP2 plan?*

**A.** The construction project owner must sign the NOI even if it is prepared by others. Contractors or consultants can do as much of the work as the owner or operator chooses, however the construction project owner is ultimately responsible for any general permit violations or water quality violations. The SWP2 plan must be prepared under the supervision of and sealed by a licensed landscape architect or engineer or certified professional erosion and sediment control specialist.

If contractors are responsible for the installation or maintenance of the BMPs, they must be given a copy of the general permit and the SWP2 plan with an appropriate explanation of the requirements therein. For the duration of construction, copies of the general permit and the SWP2 plan must be available for the contractor's use on-site. Contractors must also certify to understanding the terms and conditions of the general permit and the SWP2 plan on the Contractor Certification Form.

Other contractors or work crews who will also be on the construction site during various phases of the construction project must be aware of and participate in the implementation of the SWP2 plan. The general permit requires the permittee to notify these other contractors of the SWP2 plan, and the erosion and sediment control measures being used on the site, and explain what the contractors must do to avoid damaging, hindering or interfering with these measures.

**Q.** *Why do my contractors have to certify that they understand the general permit and my SWP2 plan?*

**A.** The Contractor Certification Form documents notification of the contractors of the terms and conditions of the general permit and the SWP2 plan. This condition of the general permit assures the requirements of the general permit and SWP2 plan are communicated to the people responsible for doing the physical work of implementing the conditions of the general permit and SWP2 plan. Although an owner or operator has contractors implement erosion and sediment control measures, the owner or operator retains ultimate responsibility for compliance.

**Q.** *Why does an owner or operator have to prepare a Stormwater Pollution Prevention Plan for each project?*

Stormwater pollution prevention (SWP2) plans are site-specific documents, and must address site-specific details including the erosion control plan and the site plan. Furthermore, the (SWP2) plan needs to be kept on-site as a reference for the personnel responsible for the construction activities on the site. KDHE does not expect to receive an (SWP2) plan for every project. Instead, KDHE is only requesting the erosion control plan, and the site plan, which should have been prepared for inclusion in the (SWP2) plan. However, each site specific (SWP2) plan, like each erosion control plan, may be based upon guidance documents, and/or may incorporate reference materials, if the materials are available to the personnel working on-site.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### Erosion Control Plans:

*Q. Why does an owner or operator have to submit an erosion control plan?*

An erosion control plan needs to be submitted with each NOI summarizing those stormwater pollution prevention measures which will be used on-site and describing the expected implementation schedule.

KDHE expects an applicant to submit a brief description or summary of the erosion control measures and best management practices to be implemented during the construction project to prevent erosion. The erosion control plan should also include a short narrative discussing the schedule of implementation, the erosion and sedimentation controls, and final stabilization. These requirements are outlined in section II, part D of the NOI, and are briefly discussed in the NOI instructions.

KDHE allows and encourages applicants to develop a set of erosion control measures and best management practices which can be incorporated by reference into site specific erosion control plans. Except for the site-specific site plan, and any applicable local requirements, the erosion control plan may use references or incorporate generic material on an as needed basis. For example, the erosion control plan may be based upon a common set of uniform criteria for a group of similar projects, or it may reference a guidance document with common erosion control measures used by the applicant at numerous sites. The plan simply summarizes which methods, what order, and to what extent each will be used. KDHE allows and encourages applicants to develop such generic guidance material for their use when developing site specific erosion control plans.

*Q. Why does an owner or operator have to submit an erosion control plan for a small construction activity?*

The erosion control plan is merely a synopsis summarizing the erosion control measures and best management practices to be implemented in accordance with the Stormwater Pollution Prevention (SWP2) plan. Since SWP2 plans must be prepared and implemented for a small construction activity, the elements of an erosion control plan must be prepared to create an adequate SWP2. Experience has shown that an adequate erosion control plan may later be used as the executive summary of the SWP2 plan, or may be expanded upon to create the SWP2 plan. Regardless of how the owner or operator plans to prepare or use the erosion control plan, KDHE believes the erosion control plan places essentially no additional administrative burden upon the owners or operators of small construction activities above and beyond the minimum burden to prepare and implement the SWP2 plan.

### Area Maps and Site Plans:

*Q. Why does an owner or operator have to submit an area map and a site plan?*

The area map allows KDHE to verify the location of the site with respect to nearby water bodies. This information is necessary to perform an applicability determination regarding the receiving waters. KDHE can also confirm that the location of the discharge will not adversely affect any receiving water listed in the Kansas Surface Water Register or on the List of Exceptional State Waters, Special Aquatic Life Use Waters and Outstanding National Resource Waters.

The site plan, which must be site-specific, provides an opportunity to illustrate the area to be disturbed in greater detail. The site plan may also be used, in conjunction with the erosion control plan, as a visual aid to identify the location of best management practices, or the areas affected by certain erosion control measures.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

To maintain flexibility for a broad community of stakeholders with significant differences in projects and available resources, KDHE is not specifying the requirements for these documents in exhaustive detail. The applicant must use his or her discretion when preparing the area map and the site plan to decide what is a sufficient level of detail for KDHE review.

### Best Management Practices (BMPs):

**Q.** *Do I have to sample the stormwater?*

**A.** No. This general permit does not require you to take any samples unless KDHE specifically requests you to do so. You may want to take samples to document the effectiveness of the BMPs you use, but the general permit does not require you to take samples.

**Q.** *The general permit requires the BMPs, which would include sedimentation ponds, to be operated and maintained. My project plan calls for leaving the sediment pond as a permanent part of the project. How long do I have to maintain the sediment pond?*

**A.** The permittee is responsible, under this general permit for the installation, operation, and maintenance of any permanent stormwater management measures until final stabilization of the site. This general permit does not address maintenance after soil disturbing activities are finished, final stabilization has been completed, and a Notice of Termination (NOT) has been authorized.

**Q.** *The general permit requires a sedimentation basin for drainage areas over 10 acres. What does KDHE consider a drainage area to be? For example my project may disturb 15 acres and it all drains to Tomahawk Creek. Am I required to install a sedimentation basin?*

**A.** The point where the stormwater crosses the site boundary and leaves the site should be where you start measuring the area disturbed. If the stormwater runoff from two or more smaller areas equal to a disturbed area of 10 acres eventually join somewhere off site, a sedimentation basin is not required. Regardless of the sedimentation basin requirement other BMP's should be used throughout the site to minimize erosion and off-site sedimentation.

**Q.** *How was the 10 acre limit established? Why not 20 acres or 5 acres?*

**A.** Many of the sediment control BMPs discussed in the general permit and in erosion and sediment control textbooks have been found in practice to be limited in their ability to control sediment. One of the primary factors in utilizing the various BMPs is the drainage area which the BMP serves. Many BMPs are not effective for larger drainage areas. In addition many guidance manuals recommend (based upon practical experience) that project owners should consider using sedimentation basins for drainage areas over 5 acres in size. The 10 acre criteria was selected in order to encompass the recommendations of most erosion and sediment control guidance texts, and provide a consistent minimum requirement from which all permit holders are to prepare their SWP2 plan.

**Q.** *How was the sedimentation basin sizing criteria of 3600 cubic feet of storage per disturbed acre drained determined?*

**A.** The 3600 cubic foot criteria represents a runoff coefficient of 0.33 to 0.5 and a rainfall of approximately 2 to 3 inches. A 2 to 3 inch rainfall over a 24 hour period will occur approximately once every year in southeastern Kansas and once every 5 years in northwestern Kansas. The runoff coefficient of 0.33 to 0.5 would be that which may occur during the period when the soil is disturbed. Runoff coefficients may be higher depending upon the specific site conditions.



## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

The basin size criteria is a consistent basis for all applicants to use to prepare their SWP2 plans. The numerous methods available to calculate runoff and size sedimentation basins could create conditions whereby basin sizes are minimized due to competitive influences. The 3600 ft<sup>3</sup> per acre criteria is considered a minimum basin design size for all applicants. Applicants are encouraged, however, to establish sedimentation basin sizes based upon local conditions. If a smaller basin seems adequate to the basin designer, the permit applicant should so indicate on the NOI and attach a description of the proposed alternative. (See the NOI instructions Section II C, page 2)

It is important to note the requirement to install a sedimentation basin only applies in instances where 10 acres will be disturbed, or opened up at any one time, immediately upstream of a point in the drainage system. Undisturbed areas or re-vegetated and finally stabilized areas are not included in determining the area disturbed above the point in the drainage area.

**Q.** *What should I do with the sediment I catch in my sediment basin or behind my sediment fence?*

**A.** In nearly all instances uncontaminated sediments can be handled (after it has dried to a workable state) just as soil would be handled at the project site. Contaminated soil cannot be handled the same way. If hazardous substances have been spilled or mixed with the sediments, or the sediments came from erosion of a site where soil contamination has occurred, the sediment needs to be evaluated for contamination to determine the correct handling procedures. Contaminated waste shall be disposed of in accordance with the requirements of the KDHE Bureau of Waste Management.

**Q.** *The site where I am building has an abandoned sand pit, gravel pit, quarry, etc., or, I will need to borrow materials to develop the site for my project. Is it OK to use the sand pit, quarry, or borrow area as a sedimentation basin, infiltration basin, stormwater retention basin, etc.?*

**A.** KDHE discourages this practice whenever the quarry or sand pit is exposed to groundwater since this practice can lead to the pollution of local groundwater supplies. In many areas of Kansas, stormwater runoff which drains into a pit or low area where groundwater has been exposed can readily infiltrate out of the basin and into nearby groundwater. Contaminants in stormwater runoff which are allowed to enter groundwater and subsequently result in violations of the Kansas Surface Water Quality Standards (which address groundwater recharge) are illegal.

### **Additional information about Best Management Practices (BMPs) is available on-line:**

International Erosion Control Association Home Page  
National Stormwater BMP Database

<http://www.ieca.org/>  
<http://www.bmpdatabase.org/>

US EPA Construction Site Storm Water Runoff Control

[http://www.epa.gov/npdes/menuofbmps/con\\_site.htm](http://www.epa.gov/npdes/menuofbmps/con_site.htm)

US EPA Storm Water Phase II Menu of BMPs and Model Permits

<http://www.epa.gov/npdes/menuofbmps/menu.htm>

**Q.** *What is a Certified Professional in Erosion and Sediment Control (CPESC)?*

For additional information regarding CPESC, Inc. on-line: <http://www.cpesc.net>,

Or contact CPESC at (919) 261-9534, or [cpesc@BellSouth.net](mailto:cpesc@BellSouth.net), or: CPESC, Inc.  
P.O. Box 1389  
Knightdale, NC 27545

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### SUBDIVISIONS - Residential and Commercial:

**Q.** *Who is the permittee for a subdivision?*

**A.** Subdivision of a tract of land presents unique problems which are discussed below. For a typical commercial construction site (including those with subdivisions), the owner or general contractor is the owner or operator and hence is the permittee. (See the definition.) For a typical residential development (subdivision), however, the owner or an authorized representative is the owner or operator, and hence is the permittee. Furthermore, each owner or operator who individually does not engage in a large construction activity must apply for a permit when the larger plan of development is a large construction activity.

After March 9, 2003, the one acre criteria applies to any tract of land which is being subdivided. Therefore, after January 9, 2003, owners or operators of projects which may disturb more than one acre will also require a stormwater permit if the project will be in progress or start on or after March 10, 2003. Hence, coverage under the general permit will be required for a subdivision of a tract of land if construction may disturb more than one acre. In other words, a permit will still be required for the subdivision of a tract of land regardless of ownership or size of each parcel or lot within the subdivision project.

Subdivision of a tract of land, whether it is for residential, industrial, or commercial development, presents unique permitting problems because a variety of methods are employed in order to develop the site once the subdivision of the tract is filed with the register of deeds. Example management mechanisms include:

Developer or subsidiaries manage all construction activities at every lot or parcel sold.

Developer only allows certain contractors to be utilized by the entity who purchases a lot or parcel.

Developer sells lots and purchaser obtains builder, or the purchaser is a builder who is building structures with the intent to sell or lease.

Once the five acre criteria is met and coverage under the general permit is required at a tract of land which is being subdivided, then the general permit requirements apply to all subsequent construction activity which occurs within the overall tract boundary. In other words once a permit is required for a specific tract of land, then all smaller parcels within the larger tract are required to be covered by a permit regardless of ownership or size of the parcel. To address the variety of subdivisions, the construction stormwater general permit designates the owner or an authorized representative as the permittee for the original tract of land which is being subdivided.

**Q.** *What if the construction project consisting of the entire tract of land covered under an authorized stormwater permit has been sold?*

**A.** If the entire tract of land which is being subdivided has been sold, the previous permittee must transfer permit coverage to the new owner by completing a Notice of Transfer of Ownership (NOTO). Furthermore, to terminate permit coverage the previous permittee must also submit a Notice of Termination (NOT). Terminating permit coverage is not automatic. The previous permittee is obligated to meet the terms and conditions of the general permit until the NOTO and the NOT are authorized by KDHE.

In the event of a need to transfer coverage under the general permit for an entire project, most permit holders will be able to utilize the Notice of Transfer of Ownership (NOTO) as specified in the General

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

Requirements section of the general permit. As an alternative, a new permittee may submit a new Notice of Intent (NOI) for construction activity instead of completing the NOTO. In many cases, though, only portions of a subdivision are sold, and in these cases the permittee is to use the Individual Lot Certification discussed below.

### **Individual Lot Certification - Sale of Parcels, Lots or an Individual Lot:**

**Q.** *What is an Individual Lot Certification and what is it for?*

**A.** The Individual Lot Certification (ILC) is an agreement between the permittee and a new lot or parcel owner to cooperatively implement the SWP2 plan and the conditions of the general NPDES permit. Every property buyer who purchases a parcel, a group of lots or an individual lot within a tract of land which is being subdivided needs to complete the ILC form with the permittee. The general permit requires permit holders and property buyers to complete an ILC form rather than requiring every property buyer to apply for a stormwater permit individually. Thus, the ILC form is a substitute for individually permitting every party making purchases of property within a permitted tract of land. Under the construction stormwater general permit, permit coverage is retained by the permittee until the project is finished and final stabilization of all disturbed soils is complete.

Each buyer of a parcel, a group of lots or an individual lot must complete an Individual Lot Certification (ILC) form with the permittee. The ILC form should be kept with the other records required by the general permit in the event of an inspection. The buyer and the seller/permittee only have to complete one ILC form for each purchase regardless of the number of lots or parcels which are exchanged. The ILC should not be submitted to KDHE, but must be maintained with the other records required by the general permit.

The buyer of a lot, or small parcel of a larger permitted tract, must agree to comply with the general permit and the owner's or operator's SWP2 plan for the larger, overall tract. KDHE expects the permittee to advise lot purchasers to take measures to control erosion and sedimentation and to monitor the activities which may have an impact on the quality of the stormwater runoff.

KDHE has also prepared a fact sheet (Erosion Control for Home Builders & Their Contractors), which provides an introduction to the stormwater permit program and erosion and sediment control during the home construction process. Subdivision developers should consider sharing copies of the fact sheet with buyers purchasing lots.

### **Phased Projects:**

**Q.** *My project is divided into several phases, and between certain phases construction will halt for less than 18 months. Why do I need a stormwater permit for the whole project if work will be interrupted for less than 18 months?*

**A.** An owner or operator who is engaged in large construction activities, or after March 9, 2003, in small construction activities, must obtain and maintain an authorization to discharge under the construction stormwater general permit regardless of the number of times construction is interrupted, or the duration of the interruptions.

The choice to continue with the authorized stormwater permit or submit a Notice of Termination (NOT) is optional. To continue with the authorized stormwater permit, the owner or operator must implement and maintain the erosion and sediment control measures required by the SWP2 plan for the construction project. Furthermore, the permittee must maintain coverage under the construction stormwater general permit by paying the annual fee.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

**Q.** *My project is divided into several phases, and between certain phases construction will halt for more than 18 months. Do I need to submit a Notice of Termination (NOT), at the end of each phase, and then request a new stormwater permit when work resumes?*

**A.** The choice to continue with the authorized stormwater permit or submit a Notice of Termination (NOT) is optional. To continue with the authorized stormwater permit, the owner or operator must implement and maintain the erosion and sediment control measures required by the SWP2 plan for the construction project. Furthermore, the permittee must maintain coverage under the construction stormwater general permit by paying the annual fee.

If the permittee chooses to stabilize the site and submit a Notice of Termination (NOT), the authorization to discharge under the construction stormwater general permit will expire. A new Notice of Intent will need to be submitted and the discharge authorized prior to further soil disturbing construction activity.

NOT forms can be downloaded from the [KDHE Stormwater Website](#), or can be obtained upon request from KDHE at the address provided above.

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## AGRICULTURE:

**Q.** *I own a 360 acre farm and I will be installing terraces next year. The amount of land to be disturbed will be over five acres. Do I need to apply for a permit?*

**A.** No, you do not need to apply for a permit. The 1987 amendments to the CWA clarified the intent of the Act. Section 502.(14) excludes agricultural stormwater discharges from the definition of "point source." Section 402 of the CWA requires a NPDES permit for the "discharge of any (a) pollutant." The Stormwater permitting program's authority is based upon Section 402 of the CWA. The term "discharge of a pollutant" means any addition of any pollutant from any point source. Therefore if agricultural stormwater discharges are not considered to be a point source, they are not subject to the requirement to obtain a permit. It is important to understand that this applies only as long as the stormwater comes from only agricultural uses. Projects which are multiple purpose (e.g. flood control and water quality improvement, or livestock watering and water quality improvement, or erosion control and recreation, etc.) are subject to the permitting requirements.

## INDIAN LANDS:

**Q.** *If my project is on Indian land, can I get a construction stormwater permit from KDHE?*

**A.** EPA is the permitting authority on Indian lands. To request authorization to discharge stormwater runoff from construction activities conducted on Indian lands, the applicant must contact the EPA Storm Water Coordinator at the address provided below. If the entire construction disturbance is located on Indian land, the owner or operator cannot be covered by KDHE under this general NPDES permit.

Storm Water Coordinator  
U.S. EPA, Region VII  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101

If portions of a project are not on Indian lands, those portions of the project which are not on Indian lands may require coverage under the Kansas construction stormwater general permit.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### LOCAL REQUIREMENTS:

**Q.** *What are the local requirements?*

**A.** The permittee is responsible for contacting local authorities and satisfying all of the applicable local requirements. The owner or operator of a construction project must determine whether any discharge of stormwater runoff associated with the construction activity is subject to any local applicable requirements.

At the time of permit issuance, Kansas City, Overland Park, Topeka and Wichita regulate discharges of construction stormwater runoff. Links to municipalities and counties with websites are also on-line on the State of Kansas Website at <http://www.accesskansas.org/index.html>

During the life of this general NPDES permit, small, medium and large municipalities which operate Municipal Separate Storm Sewer System (MS4) in urbanized areas may be required to develop local requirements for construction stormwater discharges. MS4 operators may be any level of government or any public entity as described in the definition and are not limited to just municipalities.

A list of municipalities which may soon be required, or are required, to have a local stormwater pollution prevention program is available on-line at [www.kdhe.state.ks.us/stormwater/resources/sm\\_muni.pdf](http://www.kdhe.state.ks.us/stormwater/resources/sm_muni.pdf) on the KDHE Stormwater Website, or can be obtained upon request from KDHE at the address provided above. This list will be maintained for information only, and will not necessarily include all MS4 operators with a local program.

**Q.** *Is the general permit more important than the city or county ordinances for stormwater control?*

**A.** No. The general permit does not over rule or supersede local rules or ordinances. The permittee should follow the most stringent rule or the rule which provides the most protection of the site environment, regardless of whether it is a local or a state requirement.

**Q.** *The local municipality (or MS4 operator) where the project is located requires the owner or operator to have a Local permit. If I obtain a State permit to discharge stormwater from this project, do I also have to have a permit from my local municipality (or MS4 operator)?*

**A.** Yes. The owner or operator of a construction project who requires a stormwater discharge permit under this general NPDES permit must also obtain any local permits. Duplicate permits are necessary because local requirements may be more stringent than State requirements.

**Q.** *The local municipality (or MS4 operator) where the project is located requires the owner or operator to have a Local permit. If I obtain a Local permit to discharge stormwater from my project, do I have to apply for a State stormwater permit?*

**A.** Yes. Local requirements may be more stringent than the State, however, the State's construction stormwater general NPDES permit specifies the minimum requirements which all owners or operators of large or small construction activities must meet to obtain authorization to discharge stormwater runoff from their construction sites.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

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### MUNICIPAL CONSTRUCTION PROJECTS:

**Q.** *What about projects being built by cities and counties with populations under 100,000? Aren't their construction projects exempted?*

**A.** The exemption for smaller municipalities expires March 10, 2003. Small municipalities presently do not have to apply for coverage under the construction stormwater general NPDES permit.

On or after March 10, 2003, small municipalities and other Municipal Separate Storm Sewer System (MS4) operators engaged in either large or small construction activities must have authorization to discharge stormwater runoff from those construction activities. This means small municipalities, as well as other small MS4 operators, must apply for a construction stormwater permit after January 9, 2003 for any construction activity which will be in progress after March 9, 2003.

In other words, those affected municipalities, or other public entities, which participate in any construction project, including utility projects and subdivision developments, which may disturb more than one acre, will be required to obtain authorization to discharge stormwater from the construction activity.

The exemption of small municipalities was based upon EPA's interpretation of the Intermodal Surface Transportation Efficiency Act (ISTEA). In 1991, provisions within that Federal Law temporarily exempted stormwater discharges associated with industrial activities at facilities operated by municipalities with populations of less than 100,000 from the need to obtain an NPDES stormwater discharge permit, except for power plants, airports and uncontrolled sanitary landfills. Congress extended the permitting deadline for these facilities and sites to allow small municipalities additional time to comply with other NPDES requirements. In 1995, the interim Storm Water Phase II Direct Final Rule further extended the deadline for these facilities and sites to submit a permit application to August 7, 2001. The Storm Water Phase II Final Rule (published in the Federal Register on December 8, 1999) extends this deadline to March 10, 2003.

### Large Municipalities, Large MS4 Operators and Private Companies:

**Q.** *Do all cities, counties, other public entities or private companies serving populations of 100,000 or more require a construction stormwater permit?*

**A.** According to EPA's interpretation, municipalities or MS4 operators serving 100,000 people or more are NOT exempt from construction stormwater permitting requirements for construction activities disturbing 5 or more acres. Furthermore, on and after March 10, 2003, these large municipalities, or MS4 operators, must also obtain authorization to discharge stormwater runoff from construction activities disturbing one acre or more.

Public entities (e.g. counties, state agencies, public utility boards, rural water districts, sewer districts, etc.) which serve over 100,000 persons, are also subject to the NPDES permitting requirements for construction activities which disturb 5 or more acres and are required to comply with permit application requirements.

In addition private companies which provide services (e.g. collecting trash or operating a landfill) traditionally provided by public entities are not considered to be municipalities, and therefore are subject to construction stormwater permitting requirements when engaged in construction activities disturbing 5 acres or more. On and after March 10, 2003, these private companies must also obtain permit coverage for construction activities disturbing one acre or more.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### PETROLEUM EXPLORATION AND DEVELOPMENT:

**Q.** *Do clearing, grading, and excavation activities at oil and gas extraction operations require an NPDES permit for associated stormwater discharges?*

**A.** Yes. EPA has determined that stormwater runoff from these activities do require permit coverage and are not subject to the statutory exclusion for "oil and gas exploration, production, processing, or treatment operations or transmission facilities."

### UTILITY CONSTRUCTION PROJECTS:

**Q.** *What if I don't own the land but only have a right of way or a lease?*

**A.** In a case such as utilities or leases the utility owner or construction project owner funding the construction must apply for coverage under the general permit.

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### STORMWATER CONTACTS:

Agencies which may require permits or clearances for construction projects are listed below. This list is provided as a convenience and is not all inclusive. In addition to those agencies listed here, the owners or operators need to contact the local authorities responsible for the Municipal Separate Storm Sewer System in their area. Links to Websites and Homepages for cities and counties in Kansas, if available, can be located on the [State of Kansas Website](http://www.accesskansas.org/government/index.html) at <http://www.accesskansas.org/government/index.html>. Websites and homepages pertaining to construction stormwater permitting are also linked on the [Kdhe Stormwater Website](http://www.kdhe.state.ks.us/stormwater) at [www.kdhe.state.ks.us/stormwater](http://www.kdhe.state.ks.us/stormwater).

Note: The Kansas municipalities of Kansas City, Overland Park, Topeka and Wichita, are required to have local programs to address pollutants from construction activities within their jurisdiction. Certain Kansas municipalities may be required to have similar programs in the near future. Other Kansas municipalities may have similar programs, though not required by state or federal law.

A list of small municipalities which may soon be required, or are required, to have a local stormwater pollution prevention program is available on-line on the [KDHE Stormwater Website](http://www.kdhe.state.ks.us/stormwater), or can be obtained upon request from KDHE at the address provided above. This list will be maintained for information only, and will not necessarily include all MS4 operators who also have a local stormwater program.

## STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES

### STORMWATER CONTACTS:

City of Overland Park  
Planning & Development  
Engineering Services Division  
8500 Santa Fe Drive  
Overland Park, KS 66212  
(913) 895-6223

City of Topeka  
Public Works Department  
Water Pollution Control Division  
Storm Water Section  
1115 NE Poplar  
Topeka, KS 66616-1389  
(785) 368-3851

City of Wichita  
Stormwater Management Division  
City Hall  
455 N. Main Street  
Wichita, KS 67202  
(316) 268-4498

Wyandotte County-Kansas City Unified Government  
City Engineer  
701 North 7th Street  
Kansas City, KS 66101  
(913) 573-5700

Kansas Department of Agriculture  
Water Resources Program  
109 SW 9<sup>th</sup> St. 2<sup>nd</sup> Floor  
Topeka, KS 66612-1283  
(785) 296-3717

Kansas State Historical Society (KSHS)  
Division of Historic Preservation  
6425 SW 6th Avenue  
Topeka, KS 66615-1099  
(785) 272-8681,

Kansas Department of Wildlife and Parks (KDWP)  
Environmental Services Section  
512 SE 25th Avenue  
Pratt, KS 67124 - 8174  
(620) 672-0744

U.S. Army Corps of Engineers  
Kansas City District  
Regulatory Branch  
700 Federal Building  
601 East 12th Street  
Kansas City, MO 64106  
(816) 983-3533

U.S. Bureau of Indian Affairs  
908 1st Avenue East  
Horton, KS 66439  
(785) 486-2161

U.S. EPA, Region VII  
Storm Water Coordinator  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
913-551-7418